

3-1-07

## **ETHICS REFORM NEEDED NOW**

[By Senator Pete Campos and Senator John Arthur Smith]

We believe serious ethics reform legislation should be enacted immediately, and we intend to do all we can to help make that happen. Recent articles have bemoaned the fact that ethics proposals have passed the House of Representatives but are languishing in the Senate. We believe that many Senators share our sense that we can act decisively and help lead New Mexico forward with sound and effective ethics laws.

To be sure, time is drawing tight now, and there are many important pieces of legislation that need to be heard and reviewed before we adjourn on March 16. But there still is time for us to act in the best interest of all New Mexicans and enact meaningful ethics reforms. We need to get going, though, and we are hopeful our fellow Senators will help us join Senators Dede Feldman, Mary Jane Garcia and John Grubestic, the other prime sponsors of pending Senate ethics bills, in enacting new ethics laws this session.

We need to do this because it's the right thing to do, pure and simple. We don't need to enact these laws in order to address particular ethical problems discovered about any of our fellow sitting legislators. We also do not believe that ethics can generally be legislated. Laws can be enacted, but the ethics of an

official are more deeply engrained from their life experience, family background, education and individual morals.

Rather, we need to enact these laws to send a strong message and limit if not eliminate entirely the potential corrupting influence of money on politics and the operation of government. The State Treasurer scandal has galvanized public attention to the general issue of ethics in government, but we in government should act not solely because of public perception. Our goal should be to do the right thing. And the right thing to do here is to address the concerns about the effects of money on politics and government.

For example, we are one of the few states in the country that has no limits on campaign contributions. This allows too much room for abuse and undue influence. For instance, in Attorney General Gary King's race last year his opponent received \$650,000 from a single organization. This level of contribution clearly has an impact on the policy and conduct of a campaign and should be stopped. The proposal that limits contributions in our state races to the same levels as federal races is a good and reasonable step forward.

We in New Mexico have no limits placed on gifts given by lobbyists, their employers and government contractors. We should place reasonable limits on those, again simply because it's the right thing to do to contain the potential influence of gifts, and the unfair appearance to our constituents they can create.

Perhaps the boldest of the pending recommendations, which has also already cleared the House, is to adopt a new system of voluntary public

financing for elections. We have advocated this for years, for we believe it would do more than any other single measure to address the potential undue influence of money on our elected leaders.

We are all human and subject to pressures, particularly when public stipends do not cover even all the costs of public service. We want to help our state lead the country in doing all we can to address head-on the dangerous effects of money on the political system, and we believe the best way to do that is to remove the need for private campaign funds to support a successful candidacy for office. Public financing is bold and creative. It has been used in Arizona with reported success. It has also recently been passed in Maine and Connecticut, and it is catching on as a major political reform initiative around the country, including Albuquerque, which recently voted with an almost 75% majority to implement public financing for their city elections.

It's been long said that power corrupts, and absolute power corrupts absolutely. We think money can also corrupt, and the more we can remove the need for money from running for office, the better the public is served.

The Public Financing proposed would be strictly voluntary. The system will not be perfect, and there can still be problems from so-called independent third-party expenditure groups. But the bills introduced take steps to address those concerns, and they raise the funding to support public financing from the existing Sale of Abandoned Property funds. No new taxes are required. Indeed,

it can be argued these are simply monies taxpayers have already let go and abandoned, and we're putting them to a good public use.

Other pending ethics proposals include establishing an Ethics Commission and providing reasonable expense reimbursements for legislators so that we need not raise and use campaign funds to pay for the expenses of serving our constituents. These proposals are sound. An Ethics Commission can help assure the public there will be a thorough and independent review of any and all ethics charges. And if any charge has merit to it, the appropriate body - e.g., the House or Senate Ethics Committees or a state agency - can act. Those of us who have nothing to hide have nothing to fear. And if we can pass a law that provides reasonable expense reimbursement for our service to the public, so much the better.

These proposals should all be enacted, not because any of us has done anything wrong but because we all have the responsibility to do what's right for New Mexico.